

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

2024 JAN 26 AM 11:02

OFFICE OF THE CLERK

UNITED STATES DISTRICT COURT

for the

District of Nebraska

____ Division

Case No.

8:24CV30

(to be filled in by the Clerk's Office)

Muhammad Kauri Maes

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jim Piller Mike Hilgers

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

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CLERK
U.S. DISTRICT COURT

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Defendant No. 3

Name _____

Job or Title (if known) _____

Shield Number _____

Employer _____

Address _____

City _____

State _____

Zip Code _____

☐

Individual capacity

☐

Official capacity

Defendant No. 4

Name _____

Job or Title (if known) _____

Shield Number _____

Employer _____

Address _____

City _____

State _____

Zip Code _____

☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐Federal officials (a *Bivens* claim)☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

4th Amendment 6th Amendment
14th Amendment

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Gov. Jim Pillen and AG Mike Hilgers knowingly intentionally and voluntarily are allowing Neb District courts to operate under statutory jurisdiction and defend under Maritime/Admiralty § IV-6 Neb Constitution.

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☒ Other (explain) State of Colorado Pre Trial detainee

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

see Additional Pages

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

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C. What date and approximate time did the events giving rise to your claim(s) occur?

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

NO injuries mental physical or psychological

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

5 million USD the District court is operating under a Secret Jurisdiction. Called statutory jurisdiction. The United States constitution mentions 3 jurisdictions Courts may operate under Admiralty Maritime Art III section "CONCILIATION COURT LAW" as jurisdiction does common law Amendment VII (1791) not exist in the United States Constitution Equity - Amendment XI (1795-1798) neb stat 42-804

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☐ Yes

☒ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☐ Yes

☐ No

☒ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☐ Yes

☒ No

☐ Do not know

If yes, which claim(s)?

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☐ Yes

☒ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No

- E. If you did file a grievance:

1. Where did you file the grievance?

denver County jail 520w Colfax Ave
Denver CO 80202

2. What did you claim in your grievance? the district courts in the United States are Violating the United States Constitution. Because the criminal Jurisdiction of the United States is wholly "STATUTORY" U.S v HUDSON 7 cranch 32, 3 L.ED 259. Every State uses a CODE or statute the Nebraska Revised statute the Colorado Revised Statute Results in "STATUTORY" JURISDICTION
3. What was the result, if any? A 42 USC. 1983 was Filed in U.S District court the ruling is pending

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here: NONE

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

Elias Diggins Sheriff Denver County Jail

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

Numerous Grievances Filed in Denver County Jail

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The “three strikes rule” bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has “on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this “three strikes rule”?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

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A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☒ Yes

☐ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s)

Defendant(s)

Jared Polis Governor State of Colorado Philip J. Weiser AG
Mamad K Maes John Ricks

2. Court (if federal court, name the district; if state court, name the county and State)

United States District Court

3. Docket or index number

1:23-cv-02888 SBP

4. Name of Judge assigned to your case

Susan B Prose Federal Magistrate

5. Approximate date of filing lawsuit

Oct 28 2023

6. Is the case still pending?

☒ Yes

☐ No

If no, give the approximate date of disposition.

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

Still pending

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

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☐ Yes☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☒ No

If no, give the approximate date of disposition _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

1/20/2024

Signature of Plaintiff

Mouad Karim Maes

Printed Name of Plaintiff

Mouad Karim Maes

Prison Identification #

448210 #

Prison Address

P.O. Box 1108Denver

City

Colo

State

80202

Zip Code

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

IV Statement of Claim

The Government Established a "Colorable" law System to Fit their Colorable Currency it used to be called the "law Merchant" or the Law of Redeemable Instruments, Because it dealt with paper which was Redeemable in something of Substance but once Federal Reserve Notes had been declared Unredeemable there had to be a System of law which was completely "Colorable" From the Start to the Finish this System of law is Codified as the UCC This Colorable law System is used in all of the Courts in the Nation.

- Colorable Money and colorable courts -

The word Colorable means something that "appears" to be genuine but is not.

Maybe it looks like a dollar maybe it spends like a dollar but if its not Redeemable for lawful money like (Gold or Silver) it is "Colorable" Fiat, Fake, False. If a Federal Reserve Note is used in a Contract

then it becomes a "Colorable" Contract and Colorable Contracts can only be enforced under a "Colorable jurisdiction." So by creating

Federal Reserve Notes the Government had to create a "Colorable" jurisdiction to cover the kinds of contracts that use them. We now

have what is called Statutory jurisdiction which is not a genuine

Admiralty jurisdiction. Judges are enforcing a "Colorable" Admiralty jurisdiction because we are using "Colorable Money" Colorable Admiralty

is now known as Statutory jurisdiction. I looked for statutory jurisdiction in Black's law dictionary its not there, so I looked up "statute" under its definition in this paragraph - This word is used to designate the written law in

contrast to the Unwritten law Foster v. Brown 199 GA 444 34 S.E.2d 535 (see common law) Unwritten law is Common law "Contradistinction" means as opposed to "opposite to"

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Prior to 1938 the Supreme Court (Scotus) has dealt with Public Law. Since 1938 The Supreme Court has dealt with Public Policy not Public Law. 1938 and the Erie Railroad v. Tompkins Case, of the Supreme Court it was also the year the courts claim they blended Law with Equity. The District Court had decided on Commercial Law "Negotiable Instruments Law" that the Man who was injured and who had sued the Rail Road Co. Lacked Standing to File Suit. Under the Common law Natural Law he was Damaged And had the right to Sue. This decision Over turned a Standing Decision of over 100 years!

Swift v. Tyson (1840)

The Supreme Court would Judge by the Common law (Natural Law) of the State where the Incident Occured in this Case Pennsylvania in the Erie Rail Road case the Supreme Court now ruled that all Federal cases will be judged under the "Negotiable Instruments Law". There would be no more decisions Based on the Common law at the Federal level. So here we Find the Blending of Law with Equity. America is Bankrupt

In 1938 all the Higher Judges top Attorneys and the U.S Attorneys were called into a "Secret Meeting" and this is what they were told America is Bankrupt it is completely owned by its Creditors they own Congress the Executive the Judiciary they own all the State Governments. Admiralty Courts The reason they the (Judges) Cant call it Admiralty is because your defense would be quite different Under the common Law in Admiralty court No Court has Admiralty Jurisdiction Unless there is a Valid International Contract in dispute. A International Maritime Contract must have been Breached.

But the bankers said its not expedient At this time "to Admit that they own everything and could Foreclose on every Nation of the world This is **KEY** behind the buildup of the United Nations as a Military Force This is the Key to disarming America This is the Key to ending the Cold war. Like now we have no more Enemy so we can melt all our Guns down wrong! the Bankers plan to Fore close they just dont want to get their heads blown off while doing it. So they dictate to Congress to get rid of the Guns. The reason they dont want to tell everyone that they own everything is that there are still too many private Gun owners in America Today. There are Uncooperative armies other military Forces. So Until they can Gradually Consolidate all armies into a world Army and all courts into a world court it is not expedient to Admit the Jurisdiction of the Courts they are Operating under. When we Understand these things we realize that there are Certain Secrets they dont want to Admit.

JURISDICTION

The Constitution mentions Three areas of jurisdiction in which courts May Operate Under Common Law or Natural Law is based on our creators Laws Originally given or Presented by Moses. You are Free Under the common law to do Anything you please provided you do not Infringe upon the life liberty or property of some one else. Common law does not compel performance. Any violation of Common Law is a CRIMINAL ACT that is punishable

EQUITY LAW

Equity law is law which Compels performance. It Compels you to Perform to the exact letter of any Contract that you are Under. So if you have Compelled performance there must be a Contract Somewhere and you are being Compelled to perform Under the obligation of the CONTRACT. Now this can only be a Civil Action not Criminal. In Equity jurisdiction you cannot be tried Criminally but you can be compelled to perform to the letter of the Contract.

Equity
If you then Refuse to perform as directed by the court you can be charged with Contempt of Court this is a Criminal Action Are our Seat belt laws Equity laws? NO! they are not Because you cannot be penalized or Punished Under Equity jurisdiction for not keeping to the letter of a Contract.

Admiralty Maritime law

Admiralty is a Civil jurisdiction of Compelled performance which has CRIMINAL PENALTIES for not adhering to the letter of a Contract. But this only applies to international contracts.

Whenever there is a penalty for Failure to Perform Such as willful failure to File Income taxes. That is Admiralty Maritime law and there must be a Valid International Contract in Force. However Courts don't want to Admit that they are Operating under Admiralty Maritime jurisdiction So they took the International law or Law Merchant and Adopted it into our codes. This is what the Supreme Court (SCOTUS) decided in the Erie Railroad Case that the decisions would be based on Commercial law or Business Law and there will be Criminal penalties Associated with it. Since judges were instructed not to call it Admiralty jurisdiction they call it Statutory jurisdiction

COURTS OF CONTRACT

Arnt judges sworn to Uphold the constitution? yes But the Constitution gives us Unlimited Right to Contract Art I Sec 10. as long as we do not Infringe on the life liberty or property of Someone else. Contracts are enforceable and the Constitution give us Two jurisdictions where Contracts can be enforced Equity or Admiralty But we find them being Enforced in Statutory jurisdiction. This is an embarrassing Part for the Courts.

Contracts must Be Voluntary

Under the Common law Both parties must enter into every Contract knowingly, Voluntarily and Intentionally or the Contract is unenforceable and void These are Characteristics of a common law contract. There is another characteristic The contract must Be Based on substance A Federal Reserve Note is a "colorable" dollar as it has no substance and in common law jurisdiction that contract would be unenforceable. "colorable" That which is in appearance only and not what it purports to be; hence counterfeit Feigned having the appearance of truth.

I explained one of the keys earlier which is that the Country is Bankrupt and we have no rights. If the Master says "jump" the Slave had better jump, because the Master has the right to cut off his head. As Slaves we have no rights. But the Creditors/Masters had to cover up the fact, so they created the system of law called the UCC. This "colorable" jurisdiction under the UCC is the next key to understand what has happened.

Contract or Agreement

One difference between common law and the UCC is that in common law contracts must be entered into (1) knowingly (2) voluntarily (3) intentionally. Under the UCC this is not so, first of all contracts are necessary but under the UCC "agreements" can be binding and if you only exercise the benefits of an agreement it is presumed or implied that intend to meet the obligations associated with those benefits. If you accept a benefit offered by government you are obligated to follow every statute involved with the benefit. The government's method is to get everybody exercising a benefit and they don't even have to tell the "people" what the benefit is.

UNITED STATES CONSTITUTIONAL VIOLATIONS

Amendment

I
IV
XIII
XIV sec. i

Art III sec II A/M

Our United States Supreme Court is a judicial planet whose orbit draws into its vortex the findings of all state courts involving all federal constitutional questions which must be obeyed in order to maintain the law in its majesty of final decision.

Common Law Amend. VII (1791)
Equity Amend. XI (1795-1798)